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Circular No. PNI[2020]11

Date: 25 September 2020

Announcement of the Ministry of Transport No. 78/2020

- New prevention and control measures for ships entering China

Dear Sir/Madam,

On September 24th, Ministry of Transport, General Administration of Customs, and Ministry of Foreign Affairs jointly issued an Announcement (Announcement of the Ministry of Transport No. 78/2020), to strengthen the prevention and control of the COVID-19 among the crew of international sailing ships, so as to prevent the cross-border spread of COVID-19 by the crew of international sailing ships.

The content of the Announcement is summarized as follows:

Applicable circumstances

All international sailing ships intending to enter China, either

- a) changes crew members at the last port or place before entering China; or
- b) changes crew members during last 14 days prior to its arrival at the port in China.

Requirements

- The joining crew members should have nucleic acid test for COVID-19 done within 3 days prior to boarding, and should board the ship with document showing negative result of nucleic acid test for COVID-19.
- The test should be conducted in an institution designated or recognized by the Chinese embassy or consulate abroad.
- When going through the procedures for entering the first port of China, the copy of the document showing negative result of nucleic acid test for COVID-19 for the joining crew members should be submitted as required.

Consequence of violation

- Ship's arrival, departure or cargo operation might be hindered;
- Administrative legal responsibility might be investigated according to law according to law, if the circumstance of such violation is severe;
- Criminal responsibility shall be investigated according to law, if there is no document or false documents showing negative result of nucleic acid test for COVID-19 for the joining crew members and cause the spread or risk of spread of COVID-19 within the People's Republic of China.

Our comments

There are many cases found in Chinese ports that crew members changed in the Philippines were tested COVID-19 positive. We suggest Owners to require documents meeting the requirement of the above Announcement from the crew members changed on board the ships intending to enter China, so as to avoid any delay of the vessel, or any administrative/ criminal responsibility caused thereof.

Best regards,



Yu Limin
President

Free Translation

Announcement on strengthening the prevention and control of COVID-19 among crew members of international sailing vessels by the Ministry of Transport, the General Administration of Customs and the Ministry of Foreign Affairs

Announcement of the Ministry of Transport No. 78/2020

In order to effectively maintain the health of the crew members on international sailing ships and prevent the cross-border spread of COVID-19 through the crew members, according to *the Frontier Health and Quarantine Regulations of the People's Republic of China*, *the Law on Response to Emergencies* and *Maritime Traffic Safety Law of the People's Republic of China*, the relevant matters are hereby announced as follows:

1. The contents of this announcement are applicable to all international sailing ships intending to enter China.
2. If the ship applicable to this announcement changes crew members at the last port or place before entering China or during last 14 days prior to its arrival at the port in China, the joining crew members should have nucleic acid test for COVID-19 done within 3 days prior to boarding, and should board the ship with document showing negative result of nucleic acid test for COVID-19. The test should be conducted in an institution designated or recognized by the Chinese embassy or consulate abroad.
3. When going through the procedures for entering the first port of China, the ship applicable to this announcement should, as required, submit the copy of the document showing negative result of nucleic acid test for COVID-19 for the crew members joining the ship at the last port or place before entering China or during last 14 days prior to its arrival at the port in China, through the vessel or shipping company or shipping agency.
4. If the ship applicable to this announcement violates the requirements of this announcement and the provisions of relevant laws and regulations of the People's Republic of China, the ship's arrival, departure or cargo operation might be hindered. If the circumstance of such violation is severe, administrative legal responsibility might be investigated according to law. If there is no document or false documents showing negative result of nucleic acid test for COVID-19 for the crew members joining the ship at the last port or place before entering China or during last 14 days prior to its arrival at the port in China, and cause the spread or risk of spread of COVID-19 within the People's Republic of China, criminal responsibility might be investigated according to law.

This announcement shall enter into force as of the date of promulgation.

Ministry of Transport
General Administration of Customs
Ministry of Foreign Affairs
24/09/2020